

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. CR-03-26-C-01
)	
ROY REEVES,)	
)	
Defendant.)	

ORDER

Defendant has submitted a letter to the Court requesting a recommendation for compassionate release. The Court has treated the letter as a Motion and directed Plaintiff to respond. The matter is now at issue.

Defendant's request for compassionate relief is premised on concerns arising from the COVID-19 pandemic and its presence in his place of incarceration. In its response, Plaintiff notes that Defendant's medical records indicate his conditions are in treatment or resolved. Plaintiff also notes that the Warden of Defendant's facility has denied his request.

As Plaintiff notes, the relevant statute – 18 U.S.C. § 3582(c)(1)(A) – imposes three criteria: (1) filing requirements; (2) extraordinary and compelling reasons; and (3) that the reduction is consistent with the 18 U.S.C. § 3553 factors. Here, Defendant has satisfied the filing requirement, as the current request is filed more than 30 days after requesting relief from the facility warden. It is on the next two factors that Defendant's request fails.

While Defendant's medical conditions are serious and concerning, the medical records demonstrate that he has responded well to treatment and that he is currently back to his usual routine. Even considering his medical issues in conjunction with the COVID-19 pandemic does not warrant relief. As Plaintiff notes, the medical conditions noted by Defendant are not among those identified as increasing the risks of an adverse outcome from contracting COVID-19. Thus, Defendant has not demonstrated the existence of extraordinary and compelling circumstances warranting compassionate release. Because Defendant's request fails at this stage, the Court finds it unnecessary to consider the relevant § 3553 factors.

For the reasons set forth herein, Defendant's letter, construed as a request for compassionate relief (Dkt. No. 127), is DENIED.

IT IS SO ORDERED this 22nd day of July, 2020.


ROBIN J. CAUTHRON
United States District Judge